

**REGULAR MEETING OF THE COMMON COUNCIL  
OF THE CITY OF PLATTSBURGH, NEW YORK**

**January 8, 2009**

**6:00 P.M.**

**MINUTES**

**Present:** Mayor Donald Kasprzak, Councilors Tim Carpenter (W1), Michael Kelly (W2), George Rabideau (W3), Jim Calnon (W4), Amy Valentine (W5), Chris Jackson (W6)

**Absent:** None

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**1. MINUTES OF THE PREVIOUS MEETING**

**RESOLVED:** that the Minutes of the regular meeting of the Common Council held on December 30, 2008 are approved and placed on file among the public records of the City Clerk's Office

By Councilor Carpenter; Seconded by Councilor Valentine

Roll call: Councilors Carpenter, Kelly, Rabideau, Calnon, Valentine, Jackson

(All voted in the affirmative)

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**2. PAYROLLS OF VARIOUS DEPARTMENTS**

**RESOLVED:** That the payrolls of the various Departments of the City of Plattsburgh for the week ending January 7, 2009 in the amount of \$262,014.58 are authorized and allowed and the Mayor and the City Clerk are hereby empowered and directed to sign warrants drawn on the City Chamberlain for the payment thereof.

By Councilor Jackson; Seconded by Councilor Calnon

Roll call: Councilors Carpenter, Kelly, Rabideau, Calnon, Valentine, Jackson

(All voted in the affirmative)

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**3. REPORTS OF CITY OFFICES & COMMITTEE REPORTS**

- Report of Fire and Ambulance Responses for the week of December 31- January 7, 2009
- Report from the Building Inspector's Office from December 16-January 2, 2009

**RESOLVED:** That the reports as read are hereby ordered, received and placed on file among the public records of the City Clerk's Office.

By Councilor Rabideau; Seconded by Councilor Carpenter

Roll call: Councilors Carpenter, Kelly, Rabideau, Calnon, Valentine, Jackson

(All voted in the affirmative)

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**4. AUDITS OF CLAIMS**

**RESOLVED:** That the bills approved by the Auditing Committee of the Common Council in the amount of \$675,114.37 are authorized and allowed and the Mayor and City Clerk (where required) are hereby authorized and directed to sign warrants drawn on the City Chamberlain for the payment thereof.

By Councilor Valentine; Seconded by Councilor Jackson  
Roll call: Councilors Carpenter, Kelly, Rabideau, Calnon, Valentine, Jackson  
(All voted in the affirmative)

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## 5. PERSONS ADDRESSING COUNCIL

**Tom Hackett** of 9 Smith Street is the Parking Enforcement Officer. Hackett quoted the Press Republican from December 17 stating that a lot of tickets are already written by patrol officers including those issued during parking bans. In 2008 3,320 tickets were issued and 978 were written by the Police Department leaving 2,342 tickets that were written by the Parking Enforcement Department. Hackett said the City will lose revenue if ticket issuing is left up to the Police Department. Hackett went over some numbers on his handouts. **See attached handouts (2).** If you eliminate the Parking Department you are not going to have some one actively patrolling streets and getting people to pay their owed fines. People are not going to have consequences if they don't pay their ticket because no one is going to be there to do that job.

Downtown owners are assessed fees for parking spaces. If you don't have someone monitoring the parking spaces to get people to move, the customers are not going to have any place to park. Hackett said essentially they are paying a tax for something they can't use. A lot more people are not going to move their vehicles. They will double park and or park wherever which will increase congestion downtown, car accidents, and pedestrian accidents. Hackett said he is an extra pair of eyes down there. If he sees something suspicious he is able to call in immediately, same with accidents, vandalism. Hackett asked if this position were to be abolished where would the Police Department make up the loss. Hackett wonders if the City will get a grievance from the union because writing tickets may not be in a patrol officer's job description.

**Denise Nephew**, President of AFSCME union who represents the Parking Enforcement Officer went over some numbers about how parking violations bureau brought the City quite a bit of revenue. **See attached handout.** Asked the Council not to abolish this position for all the reasons Tom (Hackett) said and because she has given the facts. It is not good business to abolish this job.

Denise Nephew continues with stating that abolishing the Billing Clerk is a mistake, there is only one. The Billing Clerk produces the bills and does the inputting. This position sends out \$12,000-\$14,000 in bills every 20 days. Nephew asked the council if they wanted the staff to pick up this work. How much more work can they pick up? If you don't get the bills out you can't get the money. Nephew doesn't know why these two positions were targeted. These positions have nothing to do with the MLD shortfall. The figures speak for themselves and they have nothing to do with MLD.

**Jennifer Colver** of 35 Hamilton Street read her statement. **See attached sheet.**

**Mike Kulic** of 35 Hamilton Street said it's in the City's worst interest to lay off any lineman. During the ice storm of '98 it was not an act of god that got the city back power. They keep happening more and more. They leave people shivering in a cold apartment. It's the height of recklessness and irresponsibility to jeopardize public safety. It's the height of stupidity to project an image of dynamic development and increased tourism while kicking down the very things that sustain such growth. The problem is those who stick their heads in the place where the sun doesn't shine.

**Barry O'Brien** of 4931 South Catherine wanted to correct anyone who thought he was blaming the MLD for the power outage at Skyway Plaza. He wasn't blaming MLD he was upset with how the funding was being handled with getting his businesses back and running. O'Brien said the incident happened on August 6<sup>th</sup> and on August 7<sup>th</sup> the appointment of Mr. Treacy was brought up for consideration. A week later he was appointed by the Council. On September 11 he came in front of the council and asked each member if they have heard about Skyway and the answer was no. O'Brien's question to the Council was if they had done their homework and has the Mayor shared the information with them and if so would you have still voted unanimously on the appointment.

**Gerald Carpenter** of 53 Johnson Avenue. **See attached statement.**

**Edmund Sanderson** President of the Plattsburgh Firefighters Union has two apartments in the City and resides at 7581 Route 9. Sanderson thinks that layoffs should be the absolute last resort because of the devastating effects on people's lives. Sanderson would like the Council to exhaust every possible alternative. With regards to the Fire Department and the Parking Enforcement Officer he said downtown is a very congested area and it results in a safety concern with the Fire Department access to fire hydrants. With regards to the Fire Department and MLD, there are numerous car accidents that result in lines that go down which is a safety hazard and the Fire Department calls on MLD for assistance. Sanderson has personally been at an accident where there has been a line down and he as well as his co-workers could feel the electricity in their body, it's live and they need MLD before they can proceed with their duties. The Fire Department has had a first hand look on what it is like without someone doing their bills. The City doesn't receive its revenue. The Billing Clerk position has done a great job in helping the Fire Department.

**Stuart Voss** of 38 Hillcrest Avenue has had the opportunity to have been a Councilor and has gone through the planning process. Voss believes part of the problem is management. Management has to make decisions about rate increases and how to do it. Management staff is not where it was four years ago. One of the reasons we live in the City is to have fundamental basic services that serve our City in which people count on. We have excellent water and a unique, highly regarded not only department but an agency. MLD has functioned really well over the last 65 years. Voss said the Council has to consider the long term impact on an entity like that. Decisions made in the short term can profoundly affect the long term in such an institution. It is very easy to quickly dismantle something but much harder to build the expertise back up. Take some caution in taking half your linemen away and what that does to your labor expertise over the long haul for that institution. It is hard to get those people back once they have found other employment. Voss said part of the problem is the failure to recognize what MLD is. It is not a City Department like every other department. It is not a department with a department head, it has a manager. It is obligated not to the Mayor but to a Board of Directors to consider creating an independent board that manages MLD and its future. The Council for the past 20 years is not getting the job done. Voss believes most people will be willing to pay an increase in rates because this crew is vital to Plattsburgh. Voss urges the Council to think of long term effects to this short term decision.

**Jessica McKinley** of 70 South Peru Street moved to the City from the town because everything was a bit cheaper. McKinley said the rate increase will affect people like herself; she has seven kids with a fixed income. McKinley does not want to see employees get fired; it is not a pretty thing. Everyone hates to see people get laid off. But people need to think of others, who are on fixed incomes, what is going to happen to them. Who are they going to turn to? They are going to be living without lights even if there isn't an ice storm or force themselves to sell their house and move into an apartment.

There are two sides to this story and you have to take that into consideration. If you don't listen to the department head recommendation than who do you turn to, the people who are losing their jobs?

**Ed Champagne** of 86 Court Street agrees with Jessica (McKinley) and can't see anyone losing their job without concern. Champagne said you folks (Council) represent 19,000 people and these jobs are not entitlements. Champagne recalled Voss's statement about forming a board. Champagne said we have a board and it's called Public Service Commission. If the city keeps losing money than the PSC will come in and take over and no one will have a say. Champagne says he feels bad for these guys and that he knows most of them. They are talented guys and will find a job some where else and maybe even get hired back in time if they are still available. Everybody is bleeding in the city including himself who is a businessman. Who is protecting the Georgia Pacific employees? Pretty soon the tax payers are not going to allow you to write checks we can't afford and it's that simple. As far as the parking department, it wasn't my understanding that you were going to close the department or are you simply going to reassign the task. Hackett is an articulate guy and does a great job. If there were a position in the Police Force for him I would be the first guy to say that is where he should be. But the argument about the revenues being a source of income is the problem. It's like Paterson's 15 cent tax on coca cola, why don't you just raise the parking fee to \$50 and then there will be more money in the coffers. That's ridiculous, they are not revenue sources they are fines. I don't think it's even legal to consider them as revenue sources.

**Carole Brown-Dunham** of 65 Lynn Street has a brother who will be possibly losing his job at MLD. Dunham was prompted to know why this was happening. She didn't know that when a line crew worked the night before they were not allowed by law to go back to work the next day until a certain amount of hours passed. Losing a whole line crew could be very detrimental to the City. As far as Mr. Treacy there are a lot of people who don't support Mr. Treacy so believing as to what he has to say, that's a personal opinion. This would also increase the amount of customers per one lineman. I had my power back on in 20 minutes during the ice storm. The people who are mostly on a fixed income are elderly and they can not afford to go without power. Pretty soon the whole country is going to be on welfare that's Bush economics and we need to get away from that. That's why we have Obama. We need to come to the point where we have to do what benefits the community instead of what sounds good now and see what happens later. I don't want taxes to go up or spend anymore than I have to but if it means that my son cant go to one movie a week or dinner and we have to put that money away I am willing to do that so my family is safe and we have heat and light.

**Michelle Forkey** of 38 Bailey Avenue didn't know city residents only pay 3.2 cents per kilowatt hour after the first five hundred and the average outside a municipality is 14 cents per kilowatt hour in NYC. When talking about usage of kilowatt hours we are really low and I don't want to see anything go up, I pay taxes on two other properties. We pay 3.2 kilowatt hour and that's less than a penny on a 5% increase.

**Colleen Baker** of 3 Ethel Way moved to Plattsburgh from West Chazy because everything from water to electric was cheaper. My husband works and he makes \$9 an hour. Baker said this month (January) we can finally afford the electric bill after being here for 7 months. If there is a rate increase and I have two daughters, I will not be able to afford the electric bill. If I can't pay it than the HEAP program will have to.

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## 6. OTHER ITEMS

### A. RESOLUTION AUTHORIZING SALE OF SURPLUS CITY PROPERTY OFF BROAD STREET TO BEHAVIORAL HEALTH SERVICES NORTH, INC.

**RESOLVED:** The resolution entitled RESOLUTION AUTHORIZING SALE OF SURPLUS CITY PROPERTY OFF BROAD STREET TO BEHAVIORAL HEALTH SERVICES NORTH, INC., consisting of 6 typewritten pages and bearing the footer date December 30, 2008, a copy of which has been distributed to the members of the Common Council, is hereby adopted and made a part of the minutes of this meeting without a public reading of the entire text of said resolution.

By Councilor Calnon; Second by Carpenter

Discussion: None

Roll Call: Councilor Carpenter, Kelly, Rabideau, Calnon, Valentine, Jackson

(All voted in the affirmative)

**ACTION TAKEN:** Adopted

Follow Up: None

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**B.** Request from WPCP for Patrick Payne to attend the “Advanced Activated Sludge Workshop” in Circleville, NY from January 13<sup>th</sup> – 15<sup>th</sup> at a cost not to exceed \$672.50 in which the funds are available in the 2009 budget.

**RESOLVED:** In accordance with the request therefore the Common Council approves Patrick Payne to attend the “Advanced Activated Sludge Workshop” in Circleville, NY from January 13<sup>th</sup> – 15<sup>th</sup> at a cost not to exceed \$672.50 in which the funds are available in the 2009 budget.

By Councilor Jackson; Second by Valentine

Discussion:

**Councilor Kelly** asked if he attended the beginner’s workshop.

**Mayor Kasprzak** said that’s what he was told.

Roll Call: Councilor Carpenter, Kelly, Rabideau, Calnon, Valentine, Jackson

(All voted in the affirmative)

**ACTION TAKEN:** Adopted

Follow Up: None

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**C.** Request from Chief Desmond Racicot for Captain Michael Branch to attend the “Law Enforcement Training Directors Association of New York State’s 2009 Winter Training Conference” on January 14<sup>th</sup> and 15<sup>th</sup> for an amount not to exceed \$311 in which the funds will be paid out of Asset Forfeiture.

**RESOLVED:** In accordance with the request therefore the Common Council approves Captain Michael Branch to attend the “Law Enforcement Training Directors Association of New York State’s 2009 Winter Training Conference” on January 14<sup>th</sup> and 15<sup>th</sup> for an amount not to exceed \$311 in which the funds will be paid out of Asset Forfeiture.

By Councilor Calnon; Second by Carpenter

Discussion: None

Roll Call: Councilor Carpenter, Kelly, Rabideau, Calnon, Valentine, Jackson

(All voted in the affirmative)

**ACTION TAKEN:** Adopted

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## 7. ADOPTION OF CITY OF PLATTSBURGH 2009 BUDGET

### 1. Motion confirming identification of Mayor's 2009 Budget.

**Resolved:** The Budget presented by the Mayor to the Common Council is identified by the heading 2009 City Budget – 2009 Mayor's Budget and is dated October 17, 2008; further

**Resolved;** that subsequent to the issuance of the Mayor's Budget it was discovered that there was a clerical error in compiling the Plattsburgh Municipal Lighting Department [PMLD] budget which resulted in an overstatement of expenditures by PMLD in the amount of \$364,520 and resulted in a projected PMLD operating deficit of (\$1,460,855); further

**Resolved:** that the correct version of the 2009 Mayor's Budget shows a projected PMLD operating deficit of (\$1,065,210); further

**Resolved:** that the 2009 Mayor's Budget, with the correction set forth in this resolution, is the 2009 City Budget that will take effect if the Common Council does not amend said budget.

By Councilor Carpenter; Seconded by Councilor Kelly

Discussion:

**Councilor Carpenter** wanted to make sure that this vote was just to identify the actual budgets not to adopt them.

Roll call: Councilor Carpenter, Kelly, Rabideau, Calnon, Valentine, Jackson

[Requires 4 votes; Mayor can vote to break tie.]

(All voted in the affirmative)

**ACTION TAKEN:** Adopted

Follow Up: None

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### 2. Motion confirming identification of Common Council's Proposed 2009 Budget.

**Resolved:** The Budget prepared by the Common Council, which amends the Mayor's 2009 Budget, is identified by the heading 2009 City Budget – 2009 Council Budget and is dated December 22, 2008;

By Councilor Carpenter; Seconded by Councilor Jackson

Discussion: None

Roll call: Councilor Carpenter, Kelly, Rabideau, Calnon, Valentine, Jackson

[Requires 4 votes; Mayor can vote to break tie.]

(All voted in the affirmative)

**ACTION TAKEN:** Adopted

Follow Up: None

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### 3. Motion to adopt the Common Council's Proposed 2009 Budget, last revised December 22, 2008.

By Councilor Kelly; Seconded by Councilor Carpenter

Discussion:

**Councilor Kelly** would like to amend the motion with item a, see below.

- a. Motion to Amend the Common Council's Proposed 2009 Budget by amending that the Plattsburgh Municipal Lighting Department section of the City Budget to include an appropriation for wages and benefits for the salaries and benefits for 5 line workers and 1 line worker helper for the year ending 12/31/2009.

By Councilor Kelly; Seconded by Councilor Carpenter

Discussion:

**Councilor Calnon** said we should be sure what the decision is and what kind of things we shouldn't be including in our decision making. Calnon presents a slide show with some of the slides Councilor Kelly used last week. Calnon found some interesting and some that lacked specificity. Calnon said that in Kelly's opening slide he states what he believes and beliefs are very powerful. Calnon said he is going to talk about Kelly in the same paragraph as President Bush. The Bush-White House were so focused on there beliefs that they tried to use every piece of evidence to support their beliefs whether it did or didn't. They also interpreted every piece of evidence they saw in that same manner. Calnon would like to go through Kelly's slide and correct any misconceptions. Calnon said that slides 2-11 have information about rate increases in the past and some details as well as advice from the City's consultant. Calnon was confused in the presentation last week (12/30/08) of what the slides were supposed to tell us except that its part of the "misinformation campaign."

Slide 6 Mr. La Capra said the increase can be spread over the years 2008 and 2009 with approximate increases of 3.5% - 4.5% in each year. Calnon said that is a pretty big increase. PSC says increases are how much additional revenue you get in the year. In 2003 we got 8.1% more revenue by the rate increase. But the rate increase was applied to every one except the industrial user. Therefore Calnon said if they didn't get any increase than the resident and commercial got a much higher increase. So the 8.1% increase was actually a 30% increase. There are complications in this and it's all part of the decision making. The information is all good information and all true information but its not new information. The Common Council sitting as the Board of Directors for MLD had all this information. They knew all of these things. Slide 11 says in December 2007 while Mr. Treacy was the Superintendent acting manager, it says the original bid amount was \$750,000 but Mr. Treacy reduced the quantity to get the bid down to \$540,000. That's not unabated, that's abated. Treacy bought a transformer that will be used for conversions near and around Skyway. Calnon said that the decision had to be made for this project because even decisions from 2004, 2005, and 2006 have ramifications today. It takes months sometimes up to one year to get in a transformer. Mr. Treacy in this case reduced this to exactly what he needed. In September 2007 the council got together and said can we afford a 7-9% increase keeping in mind that in 2003 there was a 30% increase, 2006 there was 3% and 2009 another 7%, which is a big increase for people. In response to rising costs regardless as to why they are rising, we have raised our rates. The Council said we have to have more of a balance in the coffers. The Council has to think about a smaller rate increase and think about reducing spending which Mr. Treacy did in slide 11 and staff analysis.

Calnon showed some graphs. **See Attached Graphs.**

In 2000-2008 industrial users are down 33%. So the decision that we reached in 2007 was made because with the information we had on hand we thought to be good information. It has affected our revenue because as usage goes down our revenue goes down. We lost about \$1.1 million in revenue because of industrial usage dropped. The Common Council had all the information and deferred the rate increase based on the best knowledge at the time. You can blame the Council and their decision but its misinformation if you blame management. Management at the time recommended the rate increase and the consultants. This is the history of why all the information (that Kelly supplied) is important.

Calnon proceeded to talk about each picture slide from Councilor Kelly's presentation last week

(12/30/08). **See attached presentation starting at slide numbered 12 to end of pictures.** Calnon stated that Councilor Kelly never mentioned where all “the stuff” was going because he believes he never asked. When the transformers leave the yard for completion that is it. When they are gone MLD doesn’t have anymore. These projects will use all the transformers. The next slides 14-17 are all duplicates and are being used with the conversion projects. Proceeding, there is a picture of a bunch of transformers that are from the conversions that MLD will save incase some other areas of the City need replacing, they are spare parts. We could sell them but the going rate is 15 cents per kva and the smallest ones we have are 15 kva, so that’s worth about \$2 and the bigger ones are worth about \$30-\$40. There is no real market for these things but they are valuable to us. The next slide shows a bunch of poles that Councilor Kelly told us last week that the bin inside is so full we must store them outside. It is a lot but that came from PARC for free, so it makes perfect sense to have an excess of inventory that doesn’t cost us anything. The next slide shows ground rods that go with the transformers. The “somebody” slide is interesting because it is that somebody that Kelly has been getting his information from about the excess inventory and how much work there is to do and we need to keep the crew working. If we were to believe they are credible people than that somebody is not giving a good title or name. The light poles slide, we have about 35 and they take about 8 months to be delivered. Calnon is guessing that today (1/8/09) there is about 2 less because in the last ten days we had two traffic accidents and the poles had to be replaced. Calnon first looked at the last picture slide which shows a bunch of light bulbs and wondered who would authorize buying that much inventory, well everyone sitting around this table. It was bought through the IEEP to replace lights to be safer and more efficient which are being deployed as lights burn out. The point of all this is we (the Council) all decided to do this. It was not management conspiracy to give us misinformation. Councilor Kelly’s last slide called “More Challenges,” Calnon asked what is the point of staffing ratio and why is it valid. Calnon said you shouldn’t make a decision on ratios if you don’t know that it is relevant. **See ratio slides.**

Calnon stated that the inventory we have is not excessive it is about maintaining our system. **See Slide.** Calnon talked about stabilizing in the future. **See Slides.** Calnon can’t remember exactly when but one of the comments made was “We need to raise rates to keep our power cheap and reliable.” Calnon said Kelly made a suggestion that rate increases should be small and frequent. Calnon thinks small is nice and everybody’s desire. But frequent is not a good idea because there is a cost which is about \$225,000 to file for a rate increase. Calnon said Kelly’s presentation was to persuade because if he had known it cost \$225,000 each rate increase file he may not have put that in his presentation. Calnon didn’t know that a year ago but he went to the manager and asked which Kelly didn’t do. Calnon continued analyzing Kelly’s presentation, what’s the proper management scenario? Calnon said there is no body that he has met that is more qualified as a manager than Bill Treacy. **See “Empower Management” slide.** He holds three degrees. Around this table we have a degree in education, anthropology, accounting, an RN, Councilor Kelly has a masters degree in psychology. Kelly and I have both taken some MBA courses but Bill had the degree. Right now Bill is Manager, Fiscal Manager, and a Superintendent. So he has intimate knowledge of the day to day operation. There is no one better to give us advice on what staffing levels should be. Calnon said one thing we (council) didn’t do is finish the management team. We do need a Fiscal Manager. Calnon said he did some research and found nothing about a Board of Directors and when they met. Now since the board is the Council than I am sure it was designed to hold MLD functions away from these meetings that are well attended to a separate meeting to make life easier. We (the council) discuss MLD issues at the same time as the other departments and issues. Our job in MLD is primarily the budget and to ask the questions. We don’t manage; we have a Chief Administrator and their assistants and managers. My problem with the presentation last week is that the questions were not asked. Where is this equipment going? Where are the transformers going? Maybe it’s because of



who provided the information. Calnon said to Kelly that he should know being a psychology major that anyone affected and threatened with a job loss is not the best witness. They have an emotional involvement. They are not consciously lying to you, they are telling you the truth for example, here is a transformer and it is in inventory. Calnon said yes but what they failed to say is that it does have a place to go and it is schedule to go out. Calnon proceeds to talk about the mis-information Kelly presented.

Calnon said Councilor Kelly never asked questions but he (Calnon) did. **See Slides starting with “Where’s the Mis-information? and I did!”**

Calnon said that Bill (Treacy) said if we are to continue the conversion then he needs everybody he has. But with last weeks presentation it was thought that there was this huge unused inventory and that is just not true. If we continue to keep the construction crew working then we need approximately \$10 million because we don’t have the inventory to continue with this aggressive conversion. So the question is if we borrow money and we already have over a million dollar deficit and industrial usage is down and if this continues where will our revenue go from here? How will we be able to pay this money back in the next 20 years? If we are lucky we could get a 30 year bond and it would cost \$600,000 on average each year and for a 20 year bond \$740,000 a year.

Calnon ends his presentation saying that the Common Council owes Mr. Treacy a Fiscal Manager. No one should blame decisions made in the past on current staff or management. Management suggested rate increase and the Council said no. Mr. Treacy did save money on purchases and on one in particular he saved over \$200,000. Calnon said you can’t put a title on a slide that says spending goes on unabated when the facts show that they are abated. So the choice tonight is to either triple the rate increase to lets say 14%, increase debt service by \$600,000 and keep the construction crew or keep the rate as low as PSC will allow, reduce by one line crew, and pay conversion costs from the annual depreciation fund. During these hard times committing ourselves to long term financing is not the way to go.

**Councilor Carpenter** doesn’t understand why the last rate increase was just to residential and not to industrial. Why did that happened and or how? Carpenter said he was under the impression it would be a general rate increase.

**Councilor Calnon** said there was a difference in the rates between residential and industrial

**Councilor Carpenter** said he wants to know why there was a difference. He doesn’t understand why they are different.

**Mayor Kasprzak** said that is a good question and Mr. La Capra will be here Monday to answer.

**Councilor Carpenter** said Calnon showed us a lot of different ratios in his presentation and the one that stuck out was NYSEG’s ratio. Carpenter said NYSEG is a lot higher whether we keep these people or not but during the ice storm he lived outside the city and his power was out for 11 days and his ma’s power was out for 45 minutes so he moved his family into the city. Carpenter said that is one of the reasons he supports them.

**Councilor Calnon** said he agreed with Carpenter but said sorry that he didn’t give the presentation with his notes rather without because he left out what the decision was. Calnon said the decision is not about the good quality work that the linemen do. Calnon spoke to one of the men at NYSEG he was asked if he would recommend any of the potential people who might get laid off and he said any and all. This decision is a reflection on our financial stability.

**Councilor Kelly** thanked Jim for taking all his slides. He said he asks all kinds of stupid questions and he is not ashamed of it. This is why he wanted to delay the adoption of MLD's budget so the questions can be answered because we don't know them and he doesn't feel comfortable adopting anything. Kelly said the Council hasn't done a good job with dealing with MLD. Kelly recommends we step back and go over MLD with a fine comb. This is all about finding out what's going on with MLD and fixing it.

**See attached presentation.**

Kelly says he always says what he believes because he is never 100% convinced that he has all the data. He continues to believe that MLD's problems stem from financial management rather than from a lack of worker by/for a line worker. The history starts back in November during one of many budget sessions where the Mayor said Bill Treacy told him that there isn't enough work to do and these guys are idle. So we (council) took that as face value and there is no reason why we shouldn't as Mayor Kasprzak said. Kelly said he no longer believes that to be true. He doesn't believe it he knows MLD has more than enough work to be done. Kelly still believes that we missed opportunity to increase revenue. Kelly said Mr. La Capra said if we didn't do anything at MLD except maintenance than the future was ok. But he went on to say this construction is essential. In 2007 he recommends a rate increase again. MLD paid a lot to the general fund over the years. If you are going to continue to build in MLD you have to do a rate increase and the Council said no and they have their reasons and Kelly doesn't want to blame anybody. In fact this is not the purpose of this but to find the solution to fix MLD's deficit. Kelly said he is not interested in blaming anybody. If you don't have cash coming in you don't buy a bunch of stuff. You buy stuff as you need it and use it. No body puts a year worth of inventory out on the shelf, buy when you need it. Every business needs stuff but do they need that much stuff. Kelly thinks no. Calnon said this was not a lot of stuff and I am told each one costs about \$14,000. Kelly said it's alarming to him and doesn't know how Mr. Calnon can live with it and says it's ok. Kelly said it is not ok. If you have cash flow problems than you don't buy the stuff until you need it. Continuing with the slide show, the high pressure sodium bulbs are more than MLD can install in two years. The next slide Kelly goes on to show that those are all work orders. He said again "somebody" pulled out those work orders so he could take a picture. So you see there is plenty of work. The next slide shows another type of work order and Kelly said the people at Green Street were concerned about it. Kelly doesn't know what they are but thinks someone should take a look at it. Kelly visited St. Lawrence 3 and there are even more transformers (slides continue). Kelly said he took a ride to the Cadillac Rolls Royce of substations on Rugar which supplies power to the college. He said it was beautiful and was told it only uses half of its capacity. Kelly showed a pictured of lines that ended in two spots in the city and was told that it means it's ready to go and be converted. He was also told by MLD that the West End is in bad shape and the man who Kelly rode with said he worries all the time about the West End. The gentleman said he was interested in getting the West End in better shape so Kelly said there is some work the line workers can do. We have all the equipment already as everyone saw and he doesn't think we have to spend much to make it happen. Kelly then showed a vehicle that has been sitting in the MLD yard for months driven by the former MLD Director. He believes we should sell this and keep the PMLD guys working. Kelly said Jim said in the paper that we do have a plan for conversion and than Mr. Treacy said we are not going to do it. So they have to get their heads together and decided if they are going to do it. This all comes back to cash flow. We bought a bunch of stuff and now its sitting there, a bunch of rate payer's money and it shouldn't have been done that way. Kelly again isn't placing blame on any body. I want to be sure we don't do it again and I am sure I don't want to cut the legs out from under the guys who can actually put this stuff up. Councilor Kelly ended his presentation with a slide showing a cartoon saying "I try to eat healthy. I never sprinkle salt on ice

cream, I only eat decaffeinated pizza and my beer is 100% fat-free.” Kelly said he is doing some good things but has the wrong goals. We need to change the goals at MLD. Kelly last slide was a picture of a happy MLD customer (a dog) happily enjoying her Christmas present in a nice electric heated house with a nice Christmas tree and she hopes the MLD workers can stay.

Kelly said Mr. Calnon said something his presentation that is important, we haven’t planned and Kelly couldn’t agree more and that’s why he wants to adopt a temporary one. He believes if we work hard together and save the jobs that provide us with great service that the people of Plattsburgh expect from MLD and we can look forward. He appreciates the great lengths that they go to. Kelly wants everyone to keep in mind that Mr. Treacy has tough job. Jack brown did the job with about 3 or 4 assistants and Bill is doing it all by himself and he shouldn’t have to do that. Kelly said we should have a Finance Director and someone to assist him.

**Councilor Valentine** wanted to add some clarity to the inventory that the Council might like to know. We can’t just get this inventory, its specialized equipment and needs to be on hand when we need it. We have 1600 transformers in the field and 468 of them in stock. We have to have some to replace if any break down. Valentine also went down to the yard and they are all large pieces. What is interesting is that not all the transformers are the same. They are designed for different purposes. We have pull top transformers, pad mounted transformers, single phase transformers, three phase transformers etc. Water and Sewers inventory is valued at \$700,000 and Public Works is valued at \$400,000.

**Councilor Calnon** said you have to be careful when you talk about just in time delivery. That pertains to computers but something like a light pole takes about 8 months and something like a transformer could take up to a year. Durkee Street for example was never supposed to be done until 09 so if the product came in the middle of the summer it will sit there but if we scheduled the project and then ordered right before it most likely would not come in and the project wouldn’t be able to start. It’s not like Wal-Mart where you put a bunch of stuff on the shelves and when it’s gone just replace it. We have a pretty good plan.

**Councilor Valentine** said that was one of the points with purchasing copper wire. It has gone up so much since we purchased it.

**Councilor Kelly** said he believes in keeping inventory in business some more than others. But we have gone way beyond for what is needed daily. You really have to go down there with an open mind and see how much stuff is there and how much is used in a year. We have over bought tremendously. You don’t buy when you don’t have cash flow. Kelly said he talked to Mr. Treacy and he plans to do the same thing again. Kelly wants to know if we can just hold off until some of the stuff is out of the yard and then maybe buy something.

**Councilor Calnon** asked if that was Kelly’s professional opinion as an IT professional or as a utility worker. I am trying to make a judgment that you don t have credentials in.

**Councilor Kelly** said, decide for yourself.

**Councilor Valentine** encourages people to go down there and have it explained to them what is to be deployed and how it’s utilized.

**Councilor Kelly** said to look at the pictures.

**Councilor Valentine** said well you have the same slides over and over again.

**Councilor Kelly** said no he didn't.

**Councilor Jackson** said that this has gotten out of hand. He said he is in favor of the amendment only for a brief period of time because Mr. La Capra and the PSC are coming up and he hopes they have more answers. Jim's presentation versus Mike's presentation and conversations he has had make it difficult to make a decision affecting people tonight because there is too much information out there. He wants to talk to people who have an unbiased professional opinion.

**Councilor Carpenter** said he mirrors Chris. He is going to vote yes because it's important to get a budget in place with exception that it can be changed. There is a lot of new information dumped on us tonight. Carpenter hopes not to get criticized for this but for him it doesn't matter about the individual jobs, its really unimportant to him. Carpenter is more concerned about the City overall and the department overall. These guys are highly trained and have specialized talents. They will find jobs quickly. If we let them go and then down the line find out we need them it will probably be hard to get them back.

**Councilor Jackson** said in the past managers were required to put together a five year plan. He would like to see that.

**Councilor Rabideau** thanked Mike and Jim for their presentations. Rabideau appreciated opposing views that Carpenter said with living outside the City and living within the City. Rabideau said that people outside the City are used to having back ups like fire places etc. In the City we don't. About 90% of the City probably doesn't have fireplaces or other means of heating their house. We are spoiled and we have had it good for so many years. Rabideau would like to point out that we are not voting on 1 position but 6.

**Mayor Kasprzak** said that 50-60% of the room is not pleased with him because of how he firmly believes that reducing the workforce will help with this deficit; he is not going to support frequent and large rate increases. The people he speaks to every day do not go to Common Council meetings and tell him they don't care if rate or tax increases happen. The Mayor said he has spoken to local industrial users and businesses and they will not be able to afford rate increases. He has talked to NYSEG, the manager, the City Chamberlain, Mayor of Lake Placid, the people in Rouses Point, Massena all comparing these situations. Kasprzak said the deficit is not going away regardless of who is mad at him and anyone around the table and regardless of how it happened. Kasprzak said the people who are to blame are himself when he was a Councilor in the 90s, himself as the Mayor now because he didn't do certain things, but also MLD staffs and Mayors and Councils for purchasing too much equipment, asked if the unions are to blame since everyone thinks I am a union hater because I lie and don't like anyone in the union but contracts cost a lot of money and sop does healthcare and pensions. Kasprzak said lets throw those people and himself too since he works for the City. Bob Heins was the liaison at MLD when he was there and he doesn't know if he was overly active. Kelly has only been active recently. He doesn't know if he was active earlier in the year. Kasprzak said he has been blamed a lot maybe liaisons should too. Maybe previous Mayors made the wrong decisions and his grandfather hanging on the wall who was a previous Mayor who started MLD. Do we blame industrial users because they are down 16%, its still revenue? That is what we pay our bills with.

The bottom line is that there is a deficit and he is not going to raise rates to people who can't afford it.

We have \$12 million we are going to pay for new substations whether that decision was right or wrong. Mr. Bezio and I talk about that and he wasn't sure if it was right. Kasprzak said he wasn't there but now he has to deal with it. There are so many factors involved here to make blame and excuses for but the bottom line again is that we have a deficit. Two years ago when I started we had an \$800,000 deficit in the General Fund now we have a surplus. It's not magic I just listened to the Department Heads. We turned the General fund around by making difficult decisions and unfortunately there is only one way I believe we have to do this and it's by reducing the workforce at MLD to get out of the \$1.4 million deficit which if we don't do it will become more of a deficit. La Capra talks about reducing labor costs and also different ways to borrow, as well as staggering rate increase which I won't do. Something has to happen and the problems are not going away. Kasprzak was going to talk about comments in the paper and emails but he is not. Kasprzak thanks Carpenter for not accusing him of being a liar.

**Councilor Carpenter** said that was misinformation because there were two different sides.

**Mayor Kasprzak** said he appreciated that. The Council needs to make these decisions because the Mayor doesn't have a vote on this. Kasprzak says he talks to people hurting everyday in his office. He doesn't get the nice calls he gets the other calls.

Roll call: Councilors Carpenter, Kelly, Rabideau, Calnon, Valentine, Jackson

[Requires 4 affirmative Council votes; Mayor cannot break tie.]

(All voted in the affirmative except Councilors Calnon and Valentine voted in the negative)

**ACTION TAKEN:** Adopted

- b. Motion to adopt the Common Council's Proposed 2009 Budget, as amended, as the City of Plattsburgh's 2009 Budget.

Roll call: Councilors Carpenter, Kelly, Rabideau, Calnon, Valentine, Jackson

[Requires 4 affirmative Council votes; Mayor cannot break tie.]

(All voted in the affirmative except Councilors Calnon and Valentine voted in the negative)

**ACTION TAKEN:** Adopted

Follow Up: None

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**If 3a-3b fails, then**

- c. Motion to adopt the main motion.

By Councilor N/A; Seconded by Councilor N/A

Discussion: None

Roll call: N/A

**ACTION TAKEN:** None

Follow Up: None

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**If the motion 3 or motion 3a-3b passes, or if neither passes, then:**

4. Motion to approve Mayor's Executive Order abolishing the position of Billing Clerk

By Councilor Carpenter; Seconded by Councilor Calnon

Discussion:

**Councilor Rabideau** wanted to state for the record that the Council has talked about this extensively in executive sessions.

**Councilor Kelly** asked if the person in this position has been there for 30 years.

**Councilor Calnon** said she opted not to participate in retirement for the first few months so while she will have 30 years she has just less than 30 years of service in retirement. But it's a small percentage for instance she could get 59.5% if she retires two months before her 30 years and %60 if she were to retire at her 30 year mark. However she can buy the months back.

Roll call: Councilors Carpenter, Kelly, Rabideau, Calnon, Valentine, Jackson  
[Requires 3 Council votes]  
(All voted in the affirmative)

**ACTION TAKEN:** Adopted

Follow Up: None

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**5. Motion to approve Mayor's Executive Order abolishing the position of Parking Enforcement Officer**

By Councilor Carpenter; Seconded by Councilor Valentine  
Discussion:

**Councilor Kelly** said that this department was enhanced with Complus and we were all excited and wondered how it was going and if there was plan to continue it. Kelly said he is hesitant to do this unless he has the facts.

**Councilor Carpenter** asked the Chief if he would explain how it worked and if it cost us anything.

**Councilor Rabideau** asked if it involved the scanning devices and he was told the officers on the road already use them.

Roll call: Councilors Carpenter, Kelly, Rabideau, Calnon, Valentine, Jackson  
[Requires 3 Council votes]  
(All voted in the affirmative except Councilors Kelly, Calnon and Jackson voted in the negative)

**ACTION TAKEN:** Adopted

Follow Up: None

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**If motion 3a-3b fails, then:**

**6. Motion to approve Mayor's Executive Order abolishing positions of 5 Line Workers and 1 Line Worker Helper.**

By Councilor Carpenter; Seconded by Councilor Jackson  
Discussion:

**Councilor Jackson** asked to make a motion to postpone this vote until February 5 so he can have more time to collect information from the Public Service Commission that is coming next week as well as Mr. La Capra, MLD foremen, and people from the outside of this issue. Jackson would also like to see a work plan.

**Councilor Calnon** said we are treading on some dangerous territory. We hire directors and there is a difference between what a foreman does and what a manager does and when you (Jackson) sit here and say you want to go around your manager without having a discussion with the manager first that is very dangerous. Calnon is mortified by the thought that our first instinct is to ask outside and go into the department and do the manager's job. Calnon said he wouldn't want to work for an organization like that.

**Mayor Kasprzak** said its just plain wrong. He will not let any union president tell him what's in the best interest for the department. It is totally out of line and inappropriate, outside yes like Mr. La Capra, the manager, City Chamberlain and all the people around the table. I can't believe you (Jackson) said that.

**Councilor Jackson** said it's mostly the PSC and La Capra.

**Mayor Kasprzak** said that's fine but you should have a said that.

**Councilor Kelly** said he disagrees and we need information were ever we get it.

**Mayor Kasprzak** said you have been getting yours from one source.

**Councilor Kelly** said it's not true.

**Mayor Kasprzak** said yes it is and I not getting into it.

**Councilor Calnon** said we should ask the manager first unless they are not doing their job and then it's our responsibility. But our first instinct shouldn't be to say we want to ignore the management's decision.

**Councilor Jackson** said he just wants to talk to the people he is bossing and also Bill Treacy too.

**Mayor Kasprzak** said he runs the department whether anyone likes him or not.

**Councilor Jackson** said he wants to talk to him period then. He wants a work plan for the next 2-5 years.

**Councilor Calnon** asked if he (Jackson) asked (Bill) if there was a plan. You say there is no plan but you haven't even asked if there was.

**Councilor Jackson** said he didn't say there wasn't one but he wants to see one.

**The Council now votes on the motion to postpone this vote until February 5.**

Roll call: Councilors Carpenter, Kelly, Rabideau, Calnon, Valentine, Jackson  
[Requires 3 Council votes]

(All voted in the affirmative except Councilor Calnon)

**ACTION TAKEN:** Adopted

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**7. RESOLVED:** That the Mayor is hereby authorized to execute the tax warrant authorizing the City Chamberlain to receive, levy, and collect all taxes.

By Councilor Carpenter; Second by Kelly

Discussion:

**Councilor Carpenter** wanted to clarify that we (the Council) approved the Budget but it didn't include the Parking guy and then the Parking guy got voted to stay.

**Councilor Jackson** said no we abolished the position.

**Councilor Carpenter** said he might have voted the wrong way then. His vote was to abolish the position.

Roll Call: Councilor Carpenter, Kelly, Rabideau, Calnon, Valentine, Jackson

(All voted in the affirmative)

**ACTION TAKEN:** Adopted

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## **8. RESOLUTIONS FOR INITIAL CONSIDERATION**

1. THE MAYOR HANDS DOWN THE APPOINTMENT OF EMPIRE ZONE ADMINISTRATIVE BOARD MEMBER TO LISA ROBERTS, SENIOR VICE PRESIDENT CHAMPLAIN NATIONAL BANK.
2. Request from the City Engineer for permission for the Mayor to sign Indoor Soccer Grant PKS-04-TI-015 New York State Parks, Recreation & Historic Preservation in the total amount of \$15,000 in which the City will be reimbursed this money that was spent on the Indoor Soccer Field at the Crete Civic Center.

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## **9. NEW BUSINESS**

**Councilor Carpenter** said we talked a lot about plans. He thinks we should set long term and short term goals for the City as a whole and for each department so we have a road map of where we want to go. He would love to have some communication with everyone.

**Councilor Jackson** asked if anyone would be interested in a work session next Tuesday.

**Councilor Carpenter** said he can't for the next three weeks on Tuesdays.

**Councilor Calnon** will be out of town as well.

**Councilor Kelly** said how about Wednesday

**Councilor Calnon** will be out all of next week.



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## 10. CLOSING PUBLIC COMMENTS

**Barry O'Brien** said Jim's presentation was spectacular but he might get chastised on the radio for it. It seems like there are two different sides. O'Brien said Calnon has lost contact with all of that. Calnon had a beautiful chart saying industrial users were down but what he didn't say was if you could bring in some industrial people than you don't have to raise the rates and you don't have to cut people. O'Brien said just a few weeks ago someone suggested creating a person for area development. Someone to go get industrial users here and you can't do that in Plattsburgh. You should send someone to a trade show and hold up a sign saying we have the cheapest electric. Don't you think someone might say hey where is this Plattsburgh? O'Brien said that Calnon was short sighted in his presentation because he left out how to increase the revenue. Do you think if you had someone out there selling the City the rate increases wouldn't be necessary? Mr. Carpenter gave a great presentation from the sounds of it. The radio chastised him a bit and I hope they don't do that to you tomorrow. It just seems to me in your whole presentation you (Calnon) only looked at two parts. How come you didn't talk about increasing revenue by increasing the industrial people? It seems that you are three here three there, back and forth. Maybe its time for the Obama change and work together a little bit instead of fighting each other. I think we are being a little short sighted.

**Ed Champagne** said Barry is right on. The Obama Change has yet to be seen. That kind of progress doesn't happen over night. We would all love to see it. Champagne said what he saw tonight was that we did have a Community Development Director and they did sell the City. They sold it out. They sold us a bill of goods when former Mayors and staff got grants and misused them. They sold us the idea of building a parking lot down there and a hotel that we can't get a guy to deliver on. I will tell you something that's for sure these hard times are here and we have to deal with them. One way is to cut costs. If someone wants to come in here and say they can make MLD profitable overnight than god bless you. I support keeping all those guys and hiring more but first show me the money. It's wonderful to have all these humanitarian goals if you're collecting money from the government but it's not ok to the guy paying the bill. Champagne said he took the liberty of bringing all your (councilors) campaign literature tonight and you all promised us two things. The one thing you all said was that you would not raise our taxes and you would not raise our utilities. So we have a right to come here to night and ask that you deliver on that. As a businessman and a citizen I think I have the right to tell you how to spend our money. You have reinforced me tonight that government doesn't belong in business.

**Jessica McKinley** said someone made a comment tonight in the audience that we are all going to be on welfare and I hoe not because I have friends who are on welfare. One of them is allowed \$293 a month to live on. I don't know how she can afford any rate increases. You know to look at these people who are on fixed incomes. There isn't help for people on fixed incomes.

**Jennifer Colver** said she would like to apologize for interrupting Nr. Calnon. Colver thinks everyone had interesting comments. Colver said she doesn't mind having her taxes go up if it means she is healthy and safe and that the City will thrive. She said she is on a fixed income too and it's not something she likes to say.

**Leonard Duquette** 146 Oak Street wants to thank MLD for always having light in the City. He appreciates Public Works for taking care of the sidewalks. Someone has to pay for all this and he appreciates it. There are an awful lot of lights. Duquette said he appreciates everyone working for

19,000 people. Duquette asks the Council not to allow all the money in the General Fund to go to sidewalks but to give it to MLD and let them get out of debt.

**The Mayor announces:** Please take notice that in accordance with Article 2, Section 202 of the New York State Eminent Domain Procedure Law, notice is hereby given of a public hearing for the PIN 7ME028.30A, Multi-Use Path Construction Project from George Angell Drive to the Saranac Street Bridge, City of Plattsburgh, Clinton County on January 22, 2009 at 5:00 p.m. at City Hall, City Council Chambers.

Motion to Adjourn by Councilor Jackson; Seconded by Councilor Kelly  
Roll call: Councilors Carpenter, Kelly, Rabideau, Calnon, Valentine, Jackson  
(All voted in the affirmative)

**MEETING ADJOURNED:** 9:08 p.m.